FOR MYSORE STATE

Home (1954) Department

R. SERIES.

G.O. No. 3783

Dated 21-12-54

Passed

Despatch Abstract.

From	To
V. V. Raghavan, SPECIAL GOVT. PLEADER, **High Court, Madras-1.**	*The Secretary to Government,* *Home Dept.,* *Fort St. George, Madras-9.*

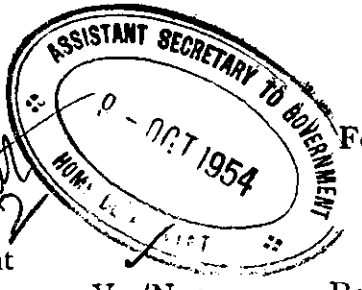
Bill No. 351 Dated 4.10.1954.

Sir,

Case: W.P. 546 of 1952, High Court Madras

Subject: M V Act - Route extension - R.T.A. Sikakulam

Reference: G.O.Ms No. 3211 Home dt. 4.9.1952



Work done: 131704 **Fees claimed:**

1. Contested . Rs. 75 —
2. Whether previous Government Pleader filed counter? Yes/~~No.~~ Proportionate/~~Full~~
3. Mere appearance and production of records. ~~Rs. 15~~

Date of hearing: 30.8.1954

Date of judgment: 30-8-1954

Sanction of Government is requested for payment of fees to the Special Government Pleader in the above Writ Petition.

Fees to the Special Government Pleader ... Rs. 50

(Rupees fifty only)

Remarks: The Counter affidavit was filed by the Govt. for which a sum of Rs 25 may be sanctioned as is customary.

V. V. Raghavan
Special Government Pleader.

The Case was taken up for hearing on the date of hearing.

Rajan & Co (Printers) Madras-1.

C No 131704 Tr II/54

3 Home (Tr II) Dept

Memo No 131704/Tr II/54-2 Dated 8/12/54

M.Vs - Stage carriages - R.T.A. South Kanara - Extension of routes of buses MY 67217 and two others by R.T.A - W.P No 576 of 1952 on the file of High Court, Madras - Payment of fees to Special G.P. Madras - Rep: from the Spl G.P. Bill No 357 d 4.x.54

45 Opt 41/11

N.C.

N.C.

In his bill cited the Special G.P. Madras has requested the Govt to sanction a fee of Rs 50/- to him and a fee of Rs 25/- to the previous Govt Pleader for work done in the above W.P. It has been suggested that the previous G.P. may be paid the usual fee of Rs 25/- for having prepared the counter affidavit but that the Spl G.P. may be paid only Rs 5/- as a nominal fee since the case was withdrawn by the petitioners and dismissed and the Special G.P. had actually no work to do in connection with the W.P. except to

S/t - pp 2-3 N.C.

P T O

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ordain and forward a copy of judgment. The Spl GP is requested to ~~suggest~~ state not later than 15-11-54 whether he is agreeable to the suggestion

RSS 3.11.54 — Ed 3/11/54

MG 4.11.54

To

The Special Govt Pleader
High Court,
Madras.
(R.D. 15-11-54)

Issued 8/11

I.F. 82 (a)— 28,73,500—20-1-54

Department	Received ____ Registered ____
From (Name) V.V. Raghavan,	To
Designation Special Govt.Pleader,	The Deputy Secretary to Government,
Station HighCourt, Madras.	Home Department, Fort St.George, Madras- 9.

Enclosures: 4672 dated 16-11-1954 19

ASSISTANT SECRETARY TO GOVERNMENT
Str.
19 NOV 1954
HOME DEPARTMENT

1495

Sub:- W.P.546/52- High Court, Madras.
Motor vehicles - Stage carriages -
R.T.A.South Kanara.-Payment of fees.
Ref:- Memo.No.131704-Tr.II/54-2 dated 4-11-54.

Hr 3-4 and c

With reference to the suggestion regarding fee payable to the Special Government Pleader in the above matter, I leave it to Government to decide

V.V Raghavan
Special Government Pleader.

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C.No.131704 Tr.II/54

HOME DEPARTMENT

G.O.R.No. 3785. dated 21.12.54.

Motor Vehicles - Stage carriages - R.T.A.South Kanara - Extension of routes of buses MY 6721 Z and two others by R.T.A. - W.P.No.546 of 1952 on the file of High Court, Madras - Payment of fees to Special, Govt.Pleader, Madras - Sanctioned

Read:

From the Spl.G.P. Madras, Bill No.351, dated 4-10-1954.

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ORDER:

The Government sanction the payment of a fee of Rs 30/- (Rupees thirty only) to the Special Govrnment Pleader and the previous Government Pleader as follows:-

Special Govt.Pleader	Rs 5/-
Previous Govt.Pleader	Rs 25/-

for their work in connection with W.P.No.546 of 1952 on the file of the High Court, Madras.

2. The expenditure on account of payment of fee to the Special G.P.Madras should be debited to "27. Administration of Justice - b.Law Officers - 3. Allowances and Honoraria - Fees to the Advocate General and Govt.Pleaders".

and that

2. The expenditure on account of payment of fee to the previous Govt. Pleader should be debited to '27. Administration of Justice - b.Law Officers - 4.Contingencies - Fees to Pleaders not in Govt.Service and other charges".

ES: 26.11.54

29.11.54

PTO.

CENTRAL DESPATCH BRANCH
Despatched by Ver. / Post. / Regd. Post. / Messenger.
24/12/1954. <Despatcher's Initials.

To the Spl.G.P.Madras-1
To Sri P.Satyanarayana Raju, Formerly Govt.Pleader (Madras)
*To the Accountant General, Mhro' the Finance Dept.
To the Finance Dept.
To the Public (General-F) Dept.
*To the Registrar, High Court, Madras

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3. The procedure indicated in G.O Ms No 3321 Home d 2-11-53 should be followed in the payment of fee to the previous Govt Pleader

(H)

RSS 17-12-54 EV. 17/12/54

17.12.54

20 Dec 54

H.E address entries on plants.

(G.No.131704 //Tr.II/ 54

Not printed

HOME DEPARTMENT

G.O.R.No. dated

Motor Vehicles - Stage carriages - R.T.A. South Kanara & Extension of route of buses MY6721z and two others by R.T.A

W.P.No. 546 of 1952 on the file of High Court, Madras - Payment of fees to ~~the~~ Special Government Pleader, Madras - Sanctioned.

Read:

From the Spl.G.P., Madras, Bill No. 351 dated 4/10.54

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ORDER:

The Government sanction the payment of a fee of Rs ~~75~~/- 30/- (Rupees ~~fifty~~ thirty ~~seventy-five~~ only) to the Special Government Pleader and the previous Government Pleader as follows:

Special Govt. Pleader	Rs ~~50~~/- 5/-
Previous Govt.Pleader	Rs 25/-

for their work in connection with W.P.No. 546 of 1952 on the file of the High Court. Madras.

2. The expenditure should be debited to "27. Administration of Justice - b.Law Officers - 3. Allowances and Honoraria - Fees to the Advocate General and Govt.Pleaders".

EQS. 13.10.54 13/10/54

14.10.54

To
The Spl.G.P., Madras-1.
Sri P.Satyanarayana Raju, Formerly Govt.Pleader (Madras).
The Accountant General, thro' the Finance Dept.
~~The Registrar, High Court, Madras~~
The Finance Department.
The Public (General-F) Dept.

p.t.o. for NOE

NOTE:

Please see the bill from the Special G.P. on p.1 c.f. In this case the High Court has not decreed any costs to be recovered from the party. In such cases the Special Government Pleader has to be allowed the regulation fee or such lower fee as the Government may at their discretion determine. ~~Please see 'X' in the U.O. Note No.2398/54-1, Public (Genl.F) Department dated 22-4-54.~~ In this case, the Spl.G.P. represented the Government / C.R.T.Board / R.T.O.. Mangalore..... ~~The fee to be paid to the Spl.G.P. in W.Ps. which are contested is Rs.75/- as laid down in G.O.Ms.No.668, Home, dated 7-5-54.~~ A counter affidavit was filed by ~~him~~ the previous G.P. in this case on behalf of the Government / C.R.T.Bd. / R.T.A. South Kanara

The High Court's judgment in this case is on pp.25-26 c.f. of (W). It is observed that the W.P. was withdrawn and dismissed. In such cases the Spl G.P. is being allowed a fee of Rs 30/- only. In the circumstances, ~~the fees claimed by~~ a fee of Rs 30/- instead of Rs 50/- claimed by the Spl G.P ~~the Spl.G.P. (Rs 50/-) to the Spl.G.P.~~ and Rs 25/- to the previous G.P. (For a precedent see GO Rt No 2189 Home dt 21.7.54 — Rs 3 in lieu of 1 Rupee in one file) ~~may be sanctioned.~~ Subject to orders, draft order submitted overleaf is for approval.

The file may be sent to Public (Genl.F.) and Finance for acceptance

18/X/54 13/X/54

18/10/54 Pub (Genl)

Finance

Home U.O.No.131704
Transport II/54-1
dated 14.10.54

Public (General-F) Department.

UNDER SECRETARY 6265 18 OCT 1954 PUBLIC DEPARTMENT

The note above may be perused.

The previous Government Pleader prepared and filed the counter-affidavit and he may be paid Rs.25/-.

2. It is observed from the judgment that the Spl. G.P. did not ~~offer~~ appear on the date of hearing and the Govt. Deptts.(respondents) went unrepresented. The reason for this is not known. The case was withdrawn by the petitioner and dismissed. The Spl. G.P. ~~himself~~ however reported the result of the case and obtained and forwarded a copy of the judgment. He may perhaps be allowed a nominal fee of Rs.5/-

instead of Rs.50/- claimed.

The file may be passed on to Finance.

15/X/54 15-10-54

16.10.54

Public General Fno 6265/54-7 18.X.54

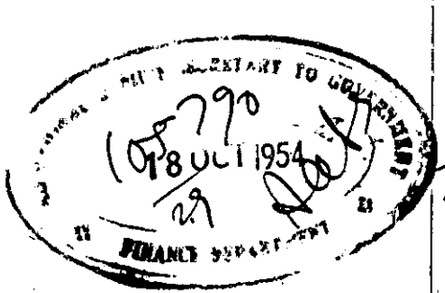
Fin

Finance (Accounts)

Finance may agree with the views of Pub (Genl) on pp. 2-3 above.

23.10.54

29/10/54 Home



For. U.O 10579 Accts/54 30.X.54

Home (Pol II) Deptt

Please see the notes of Pub (Genl) and Fin above. The suggestion of Pub (Genl) may be accepted. For orders whether the draft on p/ante may issue as amended.

As regards B on p.2 ante, presumably the pet. would have given the Spl. G.P. a copy of his petition requesting permission to withdraw his W.P and the Spl. G.P. would not have thought it necessary to be present when the petition was being dismissed.

1.XI.54 EV 1/11/54

consult the Spl. Ge.P. on the fee proposed.

2.11.54

A draft Memo is submitted for approval

3-11-54 2/11/54

4.11.54

Issued as Memo no 131704 Tr II/52-2 Home dt 4.11.54.

From the Spl G.P. No 4672 dt 16.11.54.

XX In this bill at M of the Special G.P. Madras has requested the Govt to sanction a fee of Rs 50/= to him and a fee of Rs 25/= to the previous Govt Pleader for work done in W.P. No 546 of 1952 on the file of the High court, Madras. As the W.P was withdrawn and dismissed this dept suggested a payment of fee of Rs 30/= only to the Spl GP and Rs 25/= to the previous G.P. Pub(Genl) and Fin have agreed to the payment of Rs 25/= to the previous Govt Pleader who prepared and filed the Counter-affidavit. Pub(Genl) suggested that the special G.P may however be paid only Rs 5/= as a nominal fee since the case was withdrawn by the petitioner and dismissed and the special G.P. had actually no work to do in connection with the W.P except to obtain and forward copy of judgment. The special G.P who was consulted on the above suggestion has left the matter to be decided by the Govt.

Mr. Ante

One suggestion of Pub (Genl) may perhaps be accepted. Subject to orders the draft order on p.1 ante may issue as amended

RSS 22/11/54 SV 22/11/54

To which head of account shd the fee payable to the former G.P debited?

PBB 22/11/54

Submitted. In all previous cases, the expenditure on account of payment of fees to the Spl.G.P. and the previous G.P. has been debited to one head specified at 'X' on p.1 ante. There is also a separate sub head of account as '4.Contingencies - Fees to Pleaders not in Govt. Service and other charges' under '27. Administration of Justice - 27-b. Law Officers'. Perhaps the fee payable to the former G.P. may be debited to the above sub head of account. A revised draft order is submitted for approval. Public (Genl.F) and Finance may see before issue:

RSS 26.11.54 SV 26/11/54

PBB 29.11.524

Pub (Genl) / Fee

Z mi p 86 of Budget Estimates

Yes, this is the appropriate head, I think

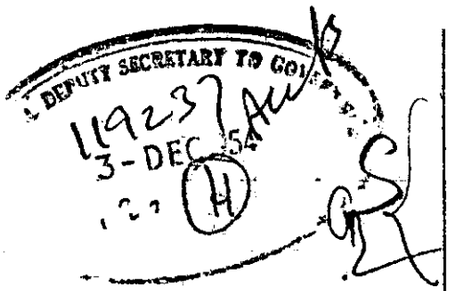
PBB

Home U.O. 131704/GII/54-3 29/11/54 1.12.54

F 2

(Last seen by this Dept. on PP. 2-3 ante)

The draft order below may be accepted. As Sri. Satyanarayana raju is not in Service of this Govt. now a para may be added to the draft order that the procedure indicated in G.O.Ms.No. 3321 Home d. 2.11.53 should be followed in Payment of the fee - vide U.O.Note.No. 2075/54-6 Pub(Genl.F) d. 19.54



The file may now be passed on to Fin.

Public General F no 7192 J4-7 3.XII.54

2/12/54

2.12.54 Fin

6

Fin. (Accts.)

[Fin. last saw on p. 3 above]

Please see the notes from p. 4 above.

The draft order below may be accepted, subject to the suggestion of Pub. (Genl.) on p. 5 above.

Fin. 11.12.54
AR 11.12.54

PL 17/12/54 Home

Fin. U.O. 119237 Accts/54 13-12-54

Home Deptt

ASSISTANT SECRETARY TO GOVERNMENT 16/12/1954 HOME DEPARTMENT

The notes from xx on p4 ante may be perused. With reference to ¶ on p5 ante a paragraph has been added to the draft order. For orders whether the draft order may issue as amended

× para 3 on p 2 of

May issue
17.12.54

DS 17/12/54

Please issue
DS
20 Dec 54

Issued as G.O.Rt No 3783 Home d 21-12-54. MJ 7-8 C/F